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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,782	04/21/2004	S. Michael Owens	D6508	5803

7590 02/13/2007

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EXAMINER	
KIM, YUNSOO	
ART UNIT	PAPER NUMBER
1644	

MAIL DATE	DELIVERY MODE
02/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/828,782	**Applicant(s)** OWENS ET AL.	
	Examiner Yunsoo Kim	**Art Unit** 1644	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 24 January 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s)..
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

    _____
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☒ Other: See Continuation Sheet.

Continuation of 3. NOTE: The term "phenylcyclidine (PCP)" in claims 1-2 has not searched previously and the DNA sequence is now limited to DNA consisting of SEQ ID NO:17 in claim 7.

Continuation of 13. Other: It is noted that Applicants failed to provide a complete set of amended claims on 1/24/07. The amended p.3 is missing from the fax and it is consist with the faxed pages. The faxed pages 2-3 (upper right) are enclosed.

Yunsoo Kim
Patent Examiner
Technology Center 1600
February 7, 2007

CHRISTINA CHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

AMENDMENTS TO THE CLAIMS

Claim 1.(currently amended) A mouse/human chimeric anti-phencyclidine (PCP) ~~mouse/human~~ monoclonal antibody, comprising:

a full-length chimeric heavy chain and a full-length chimeric light chain, wherein sequence of the full-length chimeric heavy chain comprises a leader sequence of a heavy chain of a murine antibody, a variable domain sequence of the heavy chain of said murine antibody and a human immunoglobulin heavy chain constant domain sequence ~~and a heavy chain variable domain sequence of a murine antibody~~ and wherein sequence of the full-length chimeric light chain comprises a leader sequence of a light chain of a murine antibody, a variable domain sequence of the light chain of said murine antibody and a human immunoglobulin light chain constant domain sequence ~~and a light chain variable domain sequence of a murine antibody, wherein the heavy chain variable domain sequence and the light chain variable domain sequence further comprises a leader sequence~~.

Claim 2. (currently amended) The mouse/human chimeric anti-phencyclidine (PCP) ~~mouse/human~~ monoclonal antibody of claim 1, wherein said human immunoglobulin heavy chain constant domain sequence is constant domain sequence of human IgG heavy chain and said human immunoglobulin

Claim 7. (currently amended) The mouse/human chimeric anti-phencyclidine (PCP) mouse/human monoclonal antibody of claim 6, wherein said full-length chimeric heavy chain consists of ~~comprises~~ DNA of SEQ ID NO. 17.

Claims 8-13. (canceled).

Claim 14. (currently amended) A pharmaceutical composition, comprising the mouse/human chimeric mouse/human anti-phencyclidine (PCP) monoclonal antibody of claim 1 and a pharmaceutically acceptable carrier.

Claims 15-35. (canceled).